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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,005	09/20/2001	Teruhiko Fujisawa	P6189a	4222

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EXAMINER	
ENG, GEORGE	
ART UNIT	**PAPER NUMBER**
2643	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/960,005	FUJISAWA ET AL.	
	Examiner	Art Unit	
	George Eng	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 August 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5,7 and 9-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-5,7 and 9-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/10/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed 8/10/2004. Accordingly, claims 2, 6 and 8 are canceled and claims 1, 3-5, 7, 9-39 are pending for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 8/10/2004 was filed after the mailing date of the non-final Office action on 5/6/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 3-4, 7, 9, 11-18, 26, 28-30, 36 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanabe (JP 10315971A) in view of Rautila (US PAT. 6,714,797).

Regarding claim 1, Tanabe discloses a wireless information distribution system comprising a wireless information distribution device (6, figure 1) and a portable wireless device (7, figure 1), wherein the wireless information distribution device comprises an external transmitting and receiving device (10, figure 1) for carrying out wireless communication with the portable wireless device, a first memory for storing service information and a first control unit for retrieving service information from the first memory for transmission to the portable wireless device, the first control unit being further effective for controlling the transmitting of the retrieved service information to the portable wireless device, and the portable wireless device includes a second memory (2, figure 1) for storing the service information request, a display (3, figure 1) a transmitting/receiving unit (1, figure 1) for carrying out wireless communication with said wireless information distribution device, and a second control unit for displaying on said display device service information sent from said external transmitting/receiving device (abstract). Tanabe differs from the claimed invention in not specifically teaching the stored information correlated to specific user attributes so that the first control unit for retrieving service information correlated to specific user attributes in response to receiving a service information request having user-provided user attributes sent by the portable wireless device, and the service information request including said user provided user attributes so that the second control unit

for transmitting via said transmitting/receiving unit a communication-ready signal and the service information request to the external transmitting, wherein the external transmitting/receiving device transmits a communication request signal at regular interval and the second control unit transmits said service information request to the wireless information distribution upon receiving said communication request signal and the transmitted service information request made by the portable wireless device is for local-specific information. However, Rautila teaches a system for transferring digital data to a mobile device having a hotspot device for transmitting digital data to a user terminal (10, figure 1) when the user terminal is within the range of the hotspot device, wherein the user terminal is operable to transmit an order, i.e., a communication-ready signal, to the hotspot device and to carry out wireless communication with the hotspot device when the user terminal is within range of the hotspot device (figure 5, and col. 6 line 41 through col. 7 line 21), wherein the hotspot device transmitting a communication request signal at regular intervals so that the user terminal is able to detect the communication request signal upon within the range with the hotspot, wherein the user terminal transmits the service information request to the hotspot device upon receives the communication request signal (col. 6 lines 46-53), and the service information request made by the portable wireless device is local-specific information (col. 7 lines 22-46), in order to make user friendly, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Tanabe in having the stored information correlated to specific user attributes so that the first control unit for retrieving service information correlated to specific user attributes in response to receiving a service information

request having user-provided user attributes sent by the portable wireless device, and the service information request including said user provided user attributes so that the second control unit for transmitting via said transmitting/receiving unit a communication-ready signal and the service information request to the external transmitting, wherein the external transmitting/receiving device transmits a communication request signal at regular interval and the second control unit transmits said service information request to the wireless information distribution upon receiving said communication request signal and the transmitted service information request made by the portable wireless device is for local-specific information, as per teaching of Rautila, in order to make user friendly, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device.

Regarding claims 3-4, Tanabe teaches the wireless information distribution system for storing service information relating to movement of transportation means including various departure points and destinations, and various corresponding transportation so that the control unit of the wireless information distribution device retrieving service information from the wireless information distribution device to the service information request (abstract).

Regarding claim 7, Tanabe discloses the service information request being real time based information (abstract).

Regarding claim 9, Tanabe discloses a wireless information distribution device (6, figure 1) comprising a memory for storing service information, an external transmitting and receiving device (10, figure 1) for carrying out radio communication with mobile wireless device (7, figure 1) and a control unit for retrieving from the memory, and transmitting the retrieved service information via the external transmitting and receiving device (abstract). Tanabe differs from the

claimed invention in not specifically teaching. However, Rautila teaches a system for transferring digital data to a mobile device having a hotspot device for transmitting digital data to a user terminal (10, figure 1) when the user terminal is within the range of the hotspot device, wherein the user terminal is operable to transmit an order, i.e., a communication-ready signal, to the hotspot device and to carry out wireless communication with the hotspot device when the user terminal is within range of the hotspot device (figure 5, and col. 6 line 41 through col. 7 line 21) in order to make user friendly, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Yabuki in having the control unit for retrieving service information from the first memory for transmission to the portable wireless device in response to and corresponding to a service information request sent by the mobile wireless device to the external transmitting/receiving device, when within range of the external transmitting/receiving device, as per teaching of Rautila, in order to make user friendly, thereby large quantities of digital data can be quickly and inexpensively transferred to a mobile communication device.

Regarding claim 11, Rautila discloses the service information request including user attributes, wherein the memory of the wireless information distribution device stores the information corresponding to the user attributes, and the control unit of the wireless information distribution device retrieves the information from the memory corresponding to user attributes (col. 6 lines 5-7).

Regarding claims 12-17, the limitations of the claims are rejected as the same reasons set forth in claims 3-4.

Regarding claim 18, Rautila discloses the hotspot device transmitting a communication request signal at regular intervals so that the user terminal is able to detect the communication request signal upon within the range with the hotspot, wherein the user terminal transmits the service information request to the hotspot device upon receives the communication request signal (col. 6 lines 46-53).

Regarding claim 26, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claim 28, the limitations of the claim are rejected as the same reasons set forth in claim 11.

Regarding claims 29-30, the limitations of the claims are rejected as the same reasons set forth in claims 3-4.

Regarding claims 36 and 38, the limitations of the claims are rejected as the same reasons set forth in claim 9.

5. Claims 5, 10 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanabe (JP 10315971A) in view of Rautila (US PAT. 6,714,797) as applied to claims above, and further in view of Ilen (WO 95/11496 A1).

Regarding claim 5, the combination of Tanabe and Rautila differs from the claimed invention in not specifically teaching to apply the wireless information distribution system to an entry/exit management system, wherein the service information including information for identifying a user and entry/exit request of said user so that the external transmitting and receiving device being provided in vicinity of an entry/exit controlling device so that the control

unit of the wireless information distribution device receives an entry/exit request via the external transmitting and receiving device for judging whether to allow the request and controlling the entry/exit controlling device based on the judgment. However, Ilen teaches to apply a wireless information distribution system to an entry/exit management system comprising a wireless information distribution device having an entry/exit control device (4, 5, figure 1) for receiving an entry/exit request via an external transmitting and receiving device (1, figure 1) so that a control unit of the wireless information distribution device judges whether to allow the request and controls the entry/exit control device based on the judgment in order to apply the system to the entry/exit management system for making effective and rapid entrance and check-out performance (page 2 line 4 through page 6 line 5). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Tanabe and Rautila in applying the wireless information distribution system to an entry/exit management system, wherein the service information including information for identifying a user and entry/exit request of said user so that the external transmitting and receiving device being provided in vicinity of an entry/exit controlling device so that the control unit of the wireless information distribution device receives an entry/exit request via the external transmitting and receiving device for judging whether to allow the request and controlling the entry/exit controlling device based on the judgment, as per teaching of Ilen, in order to apply the system to the entry/exit management system for making effective and rapid entrance and check-out performance.

Regarding claim 10, the limitations of the claim are rejected as the same reasons set forth in claim 5.

Regarding claim 27, the limitations of the claim are rejected as the same reasons set forth in claim 5.

6. Claims 19, 21, 24-25, 31, 33, 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila (US PAT. 6,714,797) in view of Weeks et al. (WO 94/11967A1 hereinafter Weeks).

Regarding claim 19, Rautila discloses a portable wireless device (10, figure 2) for carrying out radio communication with an external transmitting and receiving device comprised of a wireless information distribution device (70, figure 1), comprising a transmitting and receiving unit (210 and 220, figure 2) for carrying out radio communication, a memory (240, figure 2) for storing service information request, a display (200, figure 2) and a control unit (230, figure 2) for transmitting a communication ready signal and a service information request to the external transmitting and receiving device when within range, and for displaying service information sent from the external transmitting and receiving device in response to the service information request (col. 5 lines 9-22 and col. 6 line 41 through col. 7 line 21). Rautila differs from the claimed invention in not specifically teaching a control unit for automatically transmitting a communication ready signal and said service information request signal to the external transmitting/receiving device in response to coming within range of the external transmitting/receiving device. However, it is old and notoriously well known in the art of providing an automatic data request initiator for automatically transmitting a communication ready signal and a service information request signal to an external transmitting/receiving device in response to coming within range of the external transmitting/receiving device, in order to

request specified data without user initiation, thereby making user friendly, for example see Weeks (page 9 line 21 through page 10 line 1). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Rautila in having the control unit for automatically transmitting the communication ready signal and said service information request signal to the external transmitting/receiving device in response to coming within range of the external transmitting/receiving device, as per teaching of Weeks, in order to request specified data without user initiation, thereby making user friendly.

Regarding claim 21, Rautila discloses the service information request including user attributes, i.e., order number, wherein the memory of the wireless information distribution device stores the information corresponding to the user attributes, and the control unit of the wireless information distribution device (70, figure 1) retrieves the information from the memory corresponding to user attributes (col. 6 lines 50-64)

Regarding claim 24, Rautila discloses the transmitting and receiving unit carrying out radio communication with the external transmitting and receiving device only upon receiving a communication request signal sent from the external transmitting and receiving device (col. 6 lines 46-49).

Regarding claim 25, Rautila teaches the display of the mobile phone for displaying cellular phone signals including time for a predetermined period after receiving the cellular phone signals from the external transmitting and receiving device (col. 5 lines 9-22).

Regarding claim 31, the limitations of the claim are rejected as the same reasons set forth in claim 19.

Regarding claim 33, the limitations of the claim are rejected as the same reasons set forth in claim 21.

Regarding claims 37 and 39, the limitations of the claims are rejected as the same reasons set forth in claim 19.

7. Claims 20 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila (US PAT. 6,714,797) in view of Weeks et al. (WO 94/11967A1 hereinafter Weeks) as applied to claims above, and further in view of Ilen (WO 95/11496 A1).

Regarding claim 20, the combination of Rautila and Weeks differs from the claimed invention in not specifically teaching to apply the wireless information distribution system to an entry/exit management system so that the service information request including the user information and user entry/exit request. However, Ilen teaches to apply a wireless information distribution system to an entry/exit management system, wherein the service information request comprises user information and user entry/exit request in order to apply the system to the entry/exit management system for making effective and rapid entrance and check-out performance (page 2 line 4 through page 6 line 5). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Rautila and Weeks in having the service information request including the user information and user entry/exit request, as per teaching of Ilen, in order to apply the system to the entry/exit management system for making effective and rapid entrance and check-out performance.

Regarding claim 32, the limitations of the claim are rejected as the same reasons set forth in claim 20.

8. Claims 22-23 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rautila (US PAT. 6,714,797) in view of Weeks et al. (WO 94/11967A1 hereinafter Weeks) as applied to claims above, and further in view of Tanabe (JP 10315971A).

Regarding claims 22-23, the combination of Rautila and Weeks differs from the claimed invention in not specifically teaching the wireless information distribution system for storing service information relating to user transportation information including departure point and destination of the user so that the service information request includes the user transportation information and the service information received via the transmitting and receiving unit for information about movement of the transportation specified in the user transportation information. However, Tanabe teaches an information system for providing train schedule comprising storing means for storing service information relating to user transportation information including departure point and destination of the user and transmitting/receiving means for sending service information to the destination point (abstract) in order to make user friendly by providing transportation information to the user. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Rautila and Weeks in having the wireless information distribution system for storing service information relating to user transportation information including departure point and destination of the user so that the service information request includes the user transportation information and the service information received via the transmitting and receiving unit for information about movement of the transportation specified in the user transportation

information, as per teaching of Tanabe, in order to make user friendly by providing transportation information to the user.

Regarding claims 34-35, the limitations of the claims are rejected as the same reasons set forth in claims 22-23.

Response to Arguments

9. Applicant's arguments with respect to claims 1, 3-5, 7 and 9-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ishizaki et al. (US PAT. 5,884,140) discloses an information distributing system with sub-stations transmitting and broadcast information by wireless (abstract).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

George Eng
Primary Examiner
Art Unit 2643